

## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **M E M O R A N D U M**

**TO: Water Quality Subcommittee Members**

Rich Blasick, Environmental Manager, Northeast District Office, Ohio EPA  
Jeff Brandon, Trustee Chair, Montville Township  
Kenneth Carney, County Engineer, Lorain County  
James W. Dvorak, Commissioner, Geauga County  
David Covell, Health Commissioner, Lorain County Public Health  
Michael Dever, Director of Public Works, Cuyahoga County  
Kyle Dreyfuss-Wells, CEO, Northeast Ohio Regional Sewer District  
James R. Gills, County Engineer, Lake County  
Janine Rybka, District Administrator, Cuyahoga Soil and Water Conservation District  
Persis Sosiak, Commissioner of Health, Cleveland Department of Public Health  
George Warnock, Grand River Watershed Coordinator, Western Reserve Land Conservancy  
Jason A. Wood, Chief of Public Affairs, Department of Public Utilities, City of Cleveland

**FROM:** James R. Gills, Chair

**DATE:** June 14, 2019

**RE: Water Quality Subcommittee**  
**Friday, June 21, 2019 from 12:00 to 1:30 p.m.**

**NOACA Offices**  
**1299 Superior Avenue, Cleveland, Ohio**

Please note that in addition to the members listed above, any interested Board members are welcome to attend.

I look forward to seeing you on **Friday, June 21<sup>st</sup>, 2018 at noon at the NOACA offices.**





## NORTHEAST OHIO AREA WIDE COORDINATING AGENCY

Friday, June 21, 2019, 12:00 – 1:30 p.m.

NOACA Offices

1299 Superior Avenue, Cleveland, Ohio 44114

### WATER QUALITY SUBCOMMITTEE AGENDA

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9. Adjourn	

Next Regular Meeting: **September 20, 2019 – 12:00 - 1:30 p.m. NOACA Offices**

## **Agenda Item No. 1**

### **MINUTES**





## **Water Quality Subcommittee Meeting**

March 15, 2019

NOACA Offices

1299 Superior Avenue, Cleveland, Ohio 44114

**Present:** Please see the attached attendance record.

Engineer Jim Gills, Chair of the Water Quality Subcommittee, convened the meeting at 12:05 p.m.

### **Meeting Minutes**

A motion was made by Mr. Dave Marquard to approve the minutes of the Water Quality Subcommittee meeting held on December 21, 2018. The motion was seconded by Mr. Jared Bartley. The motion passed by voice vote.

### **Public Comments**

No public comments were made at this meeting.

### **Executive Director's Report**

Ms. Grace Gallucci welcomed members; thanked Engineer Gills for serving as the Chair of the Water Quality Subcommittee this year; and recognized Ms. Kyle Dreyfuss-Wells for serving as the Water Quality Subcommittee Chair last year.

### **Introductions**

Subcommittee members introduced themselves.

## **ACTION ITEMS**

### **Geauga County FPA – Prescriptions for Wastewater Treatment Modification in Chardon Township**

Mr. Eric Akin stated that the Geauga County Department of Water Resources submitted to NOACA a modification request for the transfer of 124 parcels (141 acres) and a prescription change in Chardon Township from “no sewer service” to “may be sewered” to allow for the connection of a subdivision. Mr. Akin stated that the affected parties are Geauga County and Chardon Township. He noted that in 2015, the Ohio Environmental Protection Agency (EPA) issued the Director's Final Findings and Orders to construct a sanitary sewer system.

Mr. Akin reviewed the affected area, wastewater issue timeline, sewage system summary, notification requirement, and analysis. He stated that with Board approval, NOACA staff will submit the FPA update to Ohio EPA for certification by the Governor, and following Board approval, staff will transmit copies of the resolution to the appropriate federal, state and local agencies.

Mr. Bob Klaiber asked why homeowners were not asked to replace their septic systems. He said package plants are not easy to operate and are tough to meet permit requirements. Mr. Akin stated that very small lots are not viable for a replacement system.

Mr. Rich Blasick stated that an onsite upgrade is not possible because the subdivision is old and has very small lots, making it difficult to manage a large number of discharging systems.

Engineer Gills asked how close the nearest existing sewer is to these parcels. Mr. Akin said the closest sewer is a couple of miles away in the Village of Chardon and connection is not allowed without annexation.

Engineer Gills stated that small systems are not easy to operate, maintain or get the proper discharge.

Mr. Bartley asked if the subdivision west of the parcels is new. Mr. Akin said yes and noted that the subdivision has large lots that would allow for replacement of the system.

Mr. Bartley asked if a request will be submitted next year for the newer part of the subdivision. Mr. Akin said he was not aware of a request, but noted that had there been an issue, it would have been looked at prior to planning the project.

A motion was made by Mr. Klaiber to recommend the Geauga County FPA Prescriptions for Wastewater Treatment modification in Chardon Township to the Planning and Programming Committee (PPC). The motion was seconded by Mr. Marquard. The motion passed by voice vote.

**Elyria FPA – Avon Lake / LORCO Phase I FPA Modification Request for Parcel No. 1100096000050 in Eaton Township**

Mr. Akin stated that the City of Elyria submitted to NOACA a modification request to transfer one parcel (1) from Elyria FPA to Avon Lake/LORCO Phase I FPA and to change the prescriptions from “areas served by onsite systems” to “sewers expected within 20 years.” He noted that the affected parties are the City of Elyria, City of Avon Lake, LORCO, Lorain County, and Eaton Township.

Mr. Akin reviewed the affected area and noted that the parcel has a failing onsite sewage treatment system (STS) and Lorain County Public Health (Health Department) has provided the homeowner with the option to replace their onsite system or connect to the LORCO gravity sanitary sewer line to the east, which is approximately 150 feet away. Mr. Akin said there is not adequate room for an off-lot discharging system and noted that a discharging permit would be required from Ohio EPA and monthly monitoring would need to be done by the homeowner. Mr. Akin mentioned that the Health Department has allowed the homeowner to “re-establish” the failing onsite STS until a new system can be installed or there is a plan to connect to the LORCO sewer within six months of the request being approved by the NOACA Board.

Mr. Akin mentioned that this request is part of a larger FPA modification request currently under review by NOACA that involves the transfer of 13 parcels (73.5 acres) from Elyria FPA to the Avon Lake / LORCO Phase I FPA. He noted that Lorain County has an objection to the larger FPA modification; NOACA staff recommended this action and the City of Elyria has agreed to it because of public health issues.

Mr. Akin reviewed the notification requirement and analysis. He stated that with Board approval, NOACA staff will submit the FPA update to Ohio EPA for certification by the Governor, and following Board approval, staff will transmit copies of the resolution to the appropriate federal, state and local agencies.

Mr. Klaiber asked Ms. Jill Lis if an easement was needed to run a lateral back to the LORCO sewer. He asked Mr. Gene Toy if the parcel butts up to the LORCO sewer.

Mr. Toy said he was not certain about the accuracy of the FPA map and thought the parcel butted up against the sewer.

Mr. Akin stated that in 2016 there was originally one big parcel that was divided into three smaller parcels. He noted that the smaller parcel has a house and a failing system and does not have access to a sewer. He said he believed the owner could get easement access to the local sewer line.

Mr. Klaiber stated that bootlegging a connection out the back would cause a problem for people who live west of SR 57. He noted that the recommendation is a short-term solution to the problem.

Mr. Marquard asked if the Health Department inspected and knows the condition of the adjoining or surrounding septic systems. Ms. Lis said the Health Department looked at the systems, but did not evaluate them.

Mr. Marquard commented that the proposed recommendation is not good planning. He stated that the initial objective is to protect the water and make sure it does not get polluted. He noted that as time goes on, there will continue to be intermittent switchovers into a different FPA, which would decrease the feasibility of being able to extend sewers in the other FPA. He said there is the potential to lose the ability to charge people for frontage assessments when sewers are extended. He said it will make it harder for Lorain County to extend the sewers in that area by moving the parcel to the LORCO FPA. He noted that doing one is reasonable, but if others are done for an extended period of time, it could create a poor planning arrangement by having parcels all over the place going to one FPA, thereby causing the other FPA to lose its ability to extend the sewer and recover the cost for it. He said he hopes something gets done quickly. Mr. Frank Greenland agreed with Mr. Marquard.

Mr. Greenland stated that something needs to be done because this issue is a public health threat. He noted that piecemeal requests done lot by lot is a recipe for disaster. He said the remedy is to develop sound planning for the FPA and stick to it.

Engineer Gills asked Mr. Blasick to comment on Ohio EPA's preference for resolving this FPA issue. Mr. Blasick asked if Lorain County has a timeline for installing a sewer down Grafton Road. Mr. Klaiber said there is no timeline, but it is part of Lorain County's long-range plan. Mr. Blasick expressed some concern that the homeowner could spend \$15,000 on a discharging system and then have to spend more money later on the fix up versus a one-time connection.

Mr. Klaiber stated that if the long lateral backs up in the middle of the night, it would be difficult to get equipment to the area to flush out the sewer. Mr. Klaiber asked Mr. Toy if LORCO envisions laterals going out the back of properties. Mr. Toy said he believed that is the plan.

Mr. Toy stated that LORCO and Elyria agreed not to piecemeal the modification, but to do it all as one piece. He mentioned that all parties, except one, are in agreement with the larger



modification. He noted that LORCO has the ability to maintain an easement where the sewer runs and the ability to reach the back to maintain and inspect the manholes.

Mr. Klaiber asked if the original proposal included the area up to SR 57. Mr. Akin showed the original proposed modification area on the FPA map.

Mr. Klaiber commented that an FPA boundary line down the center of the road would cause a problem.

Ms. Lis stated that requests have been submitted to NOACA one by one because of broader issues in Lorain County. She mentioned that NOACA staff has met with the DMAs in Lorain County to try and get them to come to a solution with areas that have unresolved issues. She noted that requests are going to continue to be submitted one by one to find the best solution until the ultimate best solution is determined.

Ms. Gallucci said it was unfortunate that Lorain County does not have an FPA boundary plan because cities and townships have not been able to come to a consensus on the boundaries. She said staff will focus on this FPA issue and try to get to the root of the problem and get the affected parties to come to a consensus.

Engineer Gills stated that the connection would go to the back of the house, around the house, and into a sewer easement. He asked if the easement will be in the front or back of the house.

Mr. Akin said the sewer line was installed at the rear of the property. Engineer Gills asked if there is a sewer in the street. Mr. Akin said no. Engineer Gills asked if there would be a connection to an existing sewer 150 feet away. Mr. Akin said yes. Engineer Gills asked if the sewer would serve the open area between the property and the existing sewer line in the future for the other lots. Mr. Akin said that was going to be discussed later at this meeting. Engineer Gills asked why all the lots are not being put in at the same time, including the vacant lots that need to be connected to the existing sewer.

Ms. Gallucci stated that the original request was very large so NOACA bifurcated it into three requests; two moved ahead, while one stayed behind.

Ms. Gallucci asked Mr. Akin to pull up the slides on the larger modification request from the City of Elyria. She noted that the individual parcel was presented to the Subcommittee now because of the breakdown of the septic system. She said had there not been an emergency to get that item done, the request would have been included under future action.

## **INFORMATION ITEM**

### **Elyria FPA – Avon Lake/LORCO Phase I FPA Modification Request in Eaton Township**

Mr. Akin provided background on the larger modification request in Eaton Township. He stated that the prescriptions need to be updated to show sanitary sewer connections and to reflect the current sewer availability within and near the transfer area. He noted that the affected areas are the City of Elyria, City of Avon Lake, LORCO, Lorain County and Eaton Township.

Mr. Akin reviewed the affected area, wastewater conditions, notification requirement, City of Elyria – LORCO support, and Lorain County's objection to the modification and preliminary sewer plan (proposed and current infrastructure).

Mr. Akin stated that the next steps involve NOACA staff following up with information requests, attending the affected jurisdictions meeting, preparing a consistency review, and presenting a recommendation to the Water Quality Subcommittee at its meeting on June 21, 2019.

Mr. Marquard asked if LORCO's existing sewer is designed to accept the flow from the Elyria FPA. Mr. Akin said he was not involved in the design discussions, but was told LORCO has the capacity to accept the flow. Mr. Akin stated that the original plan was to get the gravity sewer line to the pump station to the north for areas served further west. Mr. Akin asked Mr. Toy if that was accurate. Mr. Toy said yes.

Mr. Klaiber said it would be problematic to run a long lateral out the back of the property and noted that Lorain County would discourage it. Engineer Gills asked the Subcommittee for a recommended solution. Mr. Klaiber said the septic system should be replaced.

Engineer Gills said Ohio EPA believes it would be problematic if a homeowner ends up spending double money if a sewer becomes available in a few years. Mr. Klaiber said that is the risk.

Ms. Gallucci stated that Lorain County would prefer that all issues get resolved all at once. She noted that in a previous discussion with former Commissioner Ted Kalo, he recommended replacing the septic system. Ms. Gallucci agreed with Mr. Klaiber that the proposed solution would be problematic. She said the NOACA Board prefers that the affected parties come to an agreement on FPA modifications. She noted that if this request is presented to the Board, there is a high probability it will be sent back to the Subcommittee and/or given to staff to continue working on both components.

Engineer Gills asked if the septic tank problem is critical. Ms. Lis said there is no timeline or funding for the other item that was discussed and noted that the issues will come back to NOACA. She said the Health Department needs to find a solution for the homeowner who is having the problem.

Mr. Bartley asked if one parcel was split into three smaller parcels. Mr. Akin said yes. Mr. Bartley asked if the one parcel has a different owner than the other two parcels. Mr. Akin said yes.

Engineer Gills referenced an issue that happened in the past involving the Ohio River, West Virginia EPA, and the City of Wheeling. He noted that residents were pressured to get new septic systems, while no pressure was put on Wheeling for dumping bacteria into the Ohio River. Engineer Gills asked the Subcommittee for a motion to either move the Elyria FPA modification request forward or move the modification request with a solution forward.

Mr. Rachid Zoghaib asked if anyone knew the cost difference between the two options. Engineer Gills asked Mr. Akin if the two options are equal. Mr. Akin asked Mr. Toy what is LORCO's connection fee. Mr. Toy said \$8,000. Mr. Akin said replacing the septic tank would cost more than adding a connection to the sewer.

Ms. Lis stated that it would cost up to \$13,000 for a new septic system, plus additional costs for the Ohio EPA permit, monitoring, and the service contract with a contractor to service the system every 6 months. She mentioned that Lorain County has a local definition of what it determines to be accessible for a homeowner to connect to a sewer. She noted that if a home is within 200 feet of a new sewer, the Health Department would require the homeowner to connect to it; and if there was no FPA issue, the homeowner would still be required to connect to a sewer.

Engineer Gills asked the Subcommittee for a recommendation. No comments were made so Engineer Gills tabled the Elyria FPA modification request.

## **PRESENTATION / DISCUSSION ITEMS**

### **Quarterly Update: 208 Plan Development Process**

Ms. Pamela Davis provided background on the 208 Plan and NOACA's responsibility as a water quality management agency. She provided an overview of the work done by the 208 Plan Working Group and Chapter Focus Groups. She noted that the 208 Plan update included reviewing and editing chapter text, and developing regional strategies, agency recommendations, and NOACA policies.

Ms. Davis stated that NOACA staff is planning to do additional outreach for the 208 Plan and has developed two questionnaires: one for the "208 Public" and the other for designated management agencies (DMAs), local health districts and affected jurisdictions. Ms. Davis reviewed the types of questions on the questionnaires. She stated that the questionnaires will be distributed throughout the region using social media, Facebook, Twitter, direct mail, public meetings, and stakeholders.

Ms. Davis asked the Water Quality Subcommittee to review the two questionnaires and distribution plan and forward their comments/edits to her at [pdavis@mpo.noaca.org](mailto:pdavis@mpo.noaca.org) by March 22, 2019. Ms. Davis reviewed the following timeline for completing the additional outreach:

- In March 2019, questionnaires and distribution plan will be finalized.
- In April 2019, the "208 Public" questionnaire will be released and the outreach meeting strategy will be completed.
- In May 2019, the DMA/health district/jurisdiction questionnaire will be released; staff will analyze the "208 Public" responses; and finalize the outreach meeting strategy.
- In June 2019, questionnaire responses and the outreach meeting strategy will be presented to the Water Quality Subcommittee.

Mr. Klaiber mentioned that some people may be sensitive about answering questions related to basement backups since it is a disclosure item for people looking to sell their house. Ms. Davis mentioned that one question on the questionnaires asks for a zip code.

Mr. Greenland asked who at the Sewer District will get the questionnaires. Ms. Davis informed Mr. Greenland that he and Ms. Kyle Dreyfuss-Wells would receive the questionnaires and noted that the questionnaires will also go to the health commissioners at the health departments; plant supervisors at the DMAs; and engineers.

Ms. Davis asked the Subcommittee if they believed the questionnaires included the right questions. No comments were made. She asked members to contact her if they have comments.

### **2019 Subcommittee Focus Areas**

Mr. Joe MacDonald reviewed the purpose, functions, 2018 focus areas, and the following 2019 ongoing focus areas:

- Implement the Water Quality Strategic Plan recommendations

- Policies and strategies to manage urban sprawl
- Comprehensive region wide sanitary sewer infrastructure map
- FPA boundary updates

Ms. Gallucci stated that she hopes the ongoing updates to the Clean Water 2000 Plan will come to a close this fiscal year. Mr. MacDonald mentioned that the 208 Plan is always being updated whenever the Board approves an FPA boundary modification request or prescriptions for wastewater treatment. Ms. Gallucci said she was referring to the overhaul of the new comprehensive 208 Plan.

Mr. MacDonald stated that meeting agendas and materials will be crafted to accomplish the identified focus areas for the Subcommittee.

Ms. Gallucci stated that one of the focus areas for the Water Quality Subcommittee will be to address policies and strategies to manage urban sprawl. She talked about the Medina County – Wadsworth FPA issue. She mentioned that the Policy Committee will be discussing whether or not it is appropriate for NOACA to consider issues of development when evaluating FPA boundary changes. She said the Water Quality Subcommittee will be asked to weigh in on the issue. She mentioned that staff did an analysis based on a request from Michael Summers, Mayor of City of Lakewood, who questioned why development was not considered in the Medina County-Wadsworth FPA modification request. Ms. Gallucci mentioned that 50% of the FPA modification requests submitted to NOACA involve developments.

Mr. Greenland stated that a lot of stuff has been cleaned up over the years; however, some agreements were drafted between communities that are in conflict and some cleanup is still being done. He noted that everyone has to be cognizant of agreements being struck outside of 208 planning and not make mistakes going forward. Ms. Gallucci stated that NOACA has to be more diligent and respectful of its charge. Mr. Greenland said he believed agreements are all about development. Ms. Gallucci agreed with Mr. Greenland and said she sees some changes being made to NOACA's procedures and policies to identify those kinds of things and staff making it clear to the Board about what is happening.

## **Reports/Updates**

### **Watershed Activities Update (Roundtable Discussion)**

Subcommittee members provided the following updates:

- **Cuyahoga Soil & Water Conservation District (SWCD)** – Mr. Bartley stated that Cuyahoga SWCD is in the process of submitting and updating three different Nine-Element Nonpoint Source Implementation Strategic Plans (NPS-IS Plans) within the next week for the Rocky River Watershed, Euclid Creek Watershed, and Cagoon Creek-Porter Creek Watershed in partnership with Chagrin River Watershed Partners (CRWP). Mr. Bartley mentioned that a stream restoration project has been completed in Euclid Creek for the Willoughby-Eastlake School renovation and a stream restoration project is being done in North Royalton on the east branch of the Rocky River.
- **Northeast Ohio Regional Sewer District (Sewer District)** - Mr. Greenland stated that the Sewer District is working on four master plans: Cuyahoga River South (will be completed soon); Cuyahoga River North; Rocky River; and Lake Erie Tributary and portions of Chagrin River. He said the plans will help the Sewer District to coordinate intercommunity storm drainage issues across its service area. Mr. Greenland mentioned that combined

sewer overflow (CSO) control programs are rolling; the Euclid Creek Tunnel has been turned on; and the Dugway Brook Tunnel will be turned on later this year. He noted that ongoing sanitary sewer evaluation studies are being done across the service area, one at Heights-Hilltop, which is nearly complete, and three others that will be completed in a year or two.

- **NOACA** - Ms. Davis mentioned that she is working with the West Creek Conservancy and its consultant on providing mapping support/assistance for the development of NPS-IS Plans for the headwaters of Chippewa Creek; the Village of Independence on the Cuyahoga River; and Willow Creek on the Cuyahoga River. She mentioned that NOACA staff is building some internal resources.
- **Ohio EPA** - Mr. Blasick stated that Ohio EPA will begin forwarding NOACA's FPA modification updates to the Governor and then annually forwarding the updates at the beginning of each year. Mr. Blasick mentioned that U.S. EPA has released the Waters of the United States (WOTUS) definitions and is soliciting comments through April 15, 2019. He encouraged the Subcommittee to take a look at the latest definitions and submit comments.
- **Lake County Engineer's Office** - Engineer Gills stated that Lake County received funding from Ohio EPA's Water Quality Analysis Simulation Program (WASP) for Kellogg Creek. He noted that the funding will be used to eliminate Brightwood Lake Dam for a stream restoration project. He stated that the project is being coordinated by the Lake County Stormwater Utility and will begin construction next year. Engineer Gills mentioned that Lake County is looking for the Sewer District to sponsor the project and is hoping to get an answer in June 2019.

### **Old Business**

Ms. Gallucci announced that future Water Quality Subcommittee agendas will include a Board update on approved FPA boundary changes. She mentioned that the Medina County – Wadsworth FPA modification request was approved by the Board in March. She provided details of the compromise between the affected parties that brought this issue to a close. She noted that the compromise included a financial compensation and the transfer of customers. Ms. Gallucci thanked Mr. Akin for his work and the Sewer District, Ohio EPA and Mayor Robert Stefanik for helping to resolve this issue.

### **New Business**

No new business was discussed at this meeting.

### **Adjournment**

Engineer Jim Gills stated that the next Water Quality Subcommittee meeting will be held at the NOACA offices on June 21, 2019 at noon. There being no further business, the meeting was adjourned at 1:10 p.m.



## NOACA WATER QUALITY SUBCOMMITTEE (WQS) 2019 Attendance Sheet

MEETING DATES	03/15/19	06/21/19	09/20/19	12/20/19
Rich Blasick, NE District Office, Ohio EPA (Dean Stoll, Alternate)	X			
Jeff Brandon, Montville Township (Adam Friedrich, Alternate)				
Ken Carney, Lorain County Engineer (Bob Klaiber, Alternate)	A			
James W. Dvorak, Geauga County Commissioner (Nicholas Gorris, Alternate)	A			
Dave Covell, Health Commissioner Lorain County Public Health (Jill Lis, Alternate)	A			
Michael Dever, Director of Public Works, Cuyahoga County (David E. Marquard, Alternate)	A			
Kyle Dreyfuss-Wells, CEO, NEORS (Frank Greenland, Alternate)	A			
Jim Gills, Lake County Engineer (Traci Salkiewicz, Alternate)	X			
Jan Rybka, District Administrator Cuyahoga Soil & Water Conservation District (Jared Bartley, Alternate)	A			
Persis Sosiak, Cleveland Department of Public Health (David Hearne, Alternate)	A			
George Warnock, Grand River Watershed Coordinator, Western Reserve Land Conservancy (Maurine Orndorff, Alternate)	X			
Jason A. Wood, Department of Public Utilities, City of Cleveland (Rachid Zoghaib, Alternate)	A			

X - Member present

A - Alternate present



**Water Quality Subcommittee**  
**March 15, 2019, Noon – 1:30 p.m.**

**Member Sign-in Sheet**

MEMBER	SIGNATURE
Rich Blasick, NE District Office, Ohio EPA (Dean Stoll, Alternate)	<i>Rich Blasick</i>
Jeff Brandon, Montville Township (Adam Friedrich, Alternate)	
Ken Carney, Lorain County Engineer (Bob Klaiber, Alternate)	<i>Robert Carney</i>
James W. Dvorak, Geauga County Commissioner (Nicholas Gorris, Alternate)	
Dave Covell, Lorain County Public Health (Jill Lis, Alternate)	<i>Dave Covell</i>
Michael Dever, Cuyahoga County Public Works (David E. Marquard, Alternate)	<i>David E. Marquard</i>
Kyle Dreyfuss-Wells, Northeast Ohio Regional Sewer District (Frank Greenland, Alternate)	<i>F. P. Wells</i>
Jim Gills, Lake County Engineer (Traci Salkiewicz, Alternate)	<i>Jim Gills</i>
Jan Rybka, Cuyahoga Soil and Water Conservation District (Jared Bartley, Alternate)	<i>Jan Rybka</i>
Persis Sosiak, Cleveland Department of Public Health (David Hearne, Alternate)	<i>Persis Sosiak</i>
George Warnock, Western Reserve Land Conservancy (Maurine Orndorff, Alternate)	
Jason A. Wood, City of Cleveland (Rachid Zoghaib, Alternate)	<i>Jason A. Wood</i>

## **Agenda Item No. 2**

### **PUBLIC COMMENTS**





## **Agenda Item No. 3**

### **CHAIR/EXECUTIVE DIRECTOR'S REPORT**



## **Agenda Item No. 4**

### **ACTION ITEMS**





## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Water Quality Subcommittee

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 14, 2019

**RE:** **Facility Planning Area (FPA) Revision Request: Transfer of one (1) parcel from the Lorain County FPA to the Avon Lake/Lorain County Rural Wastewater District (LORCO) Phase I FPA in Columbia Township**

#### **ACTION REQUESTED**

The Water Quality Subcommittee is asked to consider recommending this item to the Planning and Programming Committee for placement on the Board of Directors' September 2019 agenda. Specifically, the item will transfer one (1) parcel (1.0 acre) from the Lorain County FPA to the Avon Lake/LORCO Phase I (Phase I) FPA in Columbia Township.

#### **BACKGROUND/JUSTIFICATION FOR CURRENT ACTION**

LORCO received a request from the property owner of permanent parcel number (PPN) 1200099000009 in Columbia Township to connect to the LORCO sewer line along Hawke Road (Attachment A). The parcel currently resides in the Lorain County FPA. In order to connect to LORCO's sewer line, the parcel must be transferred to the Phase I FPA (Attachment B). Under the federal Clean Water Act, all sanitary sewer connections must be within the FPA of the publicly owned treatment works (POTW) that treat the wastewater.

Columbia Township is not a member of LORCO. To allow for Columbia Township parcels along Hawke Road to connect to LORCO's sewers, an agreement was reached between Lorain County, LORCO, the City of Avon Lake and Columbia Township in 2016. Under the agreement, upon a written request from a landowner along Hawke Road to connect to LORCO's sewer line, all parties agree to give their approval for the FPA change to transfer the requesting parcel(s) from the Lorain County FPA to the Phase I FPA. The agreement also reaffirms Lorain County's sewer planning authority as the Designated Management Agency (DMA) for the Columbia Township parcels along Hawke Road.

LORCO requested letters of support from the City of Avon Lake, Lorain County and Columbia Township on April 1, 2019. Despite the agreement between these entities, comment letters are still required to fulfill the notification requirements in Policy 4-6 of the 208 Plan. All affected jurisdictions submitted letters of support for the FPA modification (attached).

#### **FINANCIAL IMPACT**

NOACA's approval of the boundary change will not result in any financial impact to NOACA.

**CONCLUSION/NEXT STEPS**

Pending Board approval, NOACA staff will submit the updated FPA boundary to Ohio EPA.

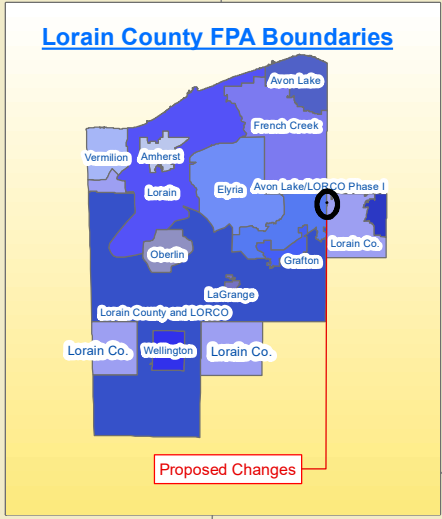
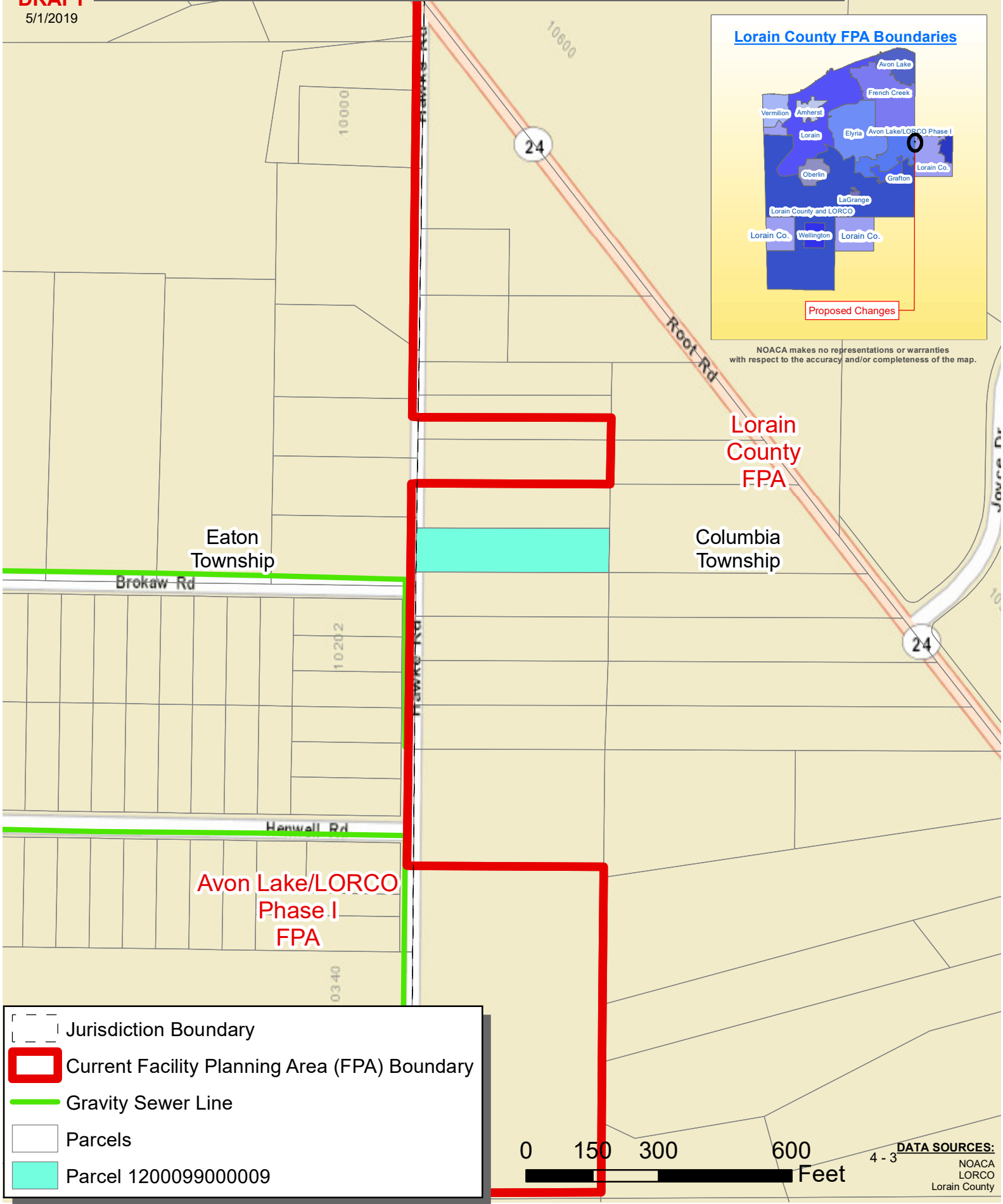
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ATTACHMENT A: CURRENT FACILITY PLANNING AREA (FPA) BOUNDARY FOR PARCEL 1200099000009 IN COLUMBIA TOWNSHIP, LORAIN COUNTY.



DRAFT  
5/1/2019



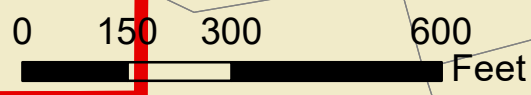
Jurisdiction Boundary

Current Facility Planning Area (FPA) Boundary

Gravity Sewer Line

Parcels

Parcel 1200099000009



DATA SOURCES:  
4 - 3  
NOACA  
LORCO  
Lorain County

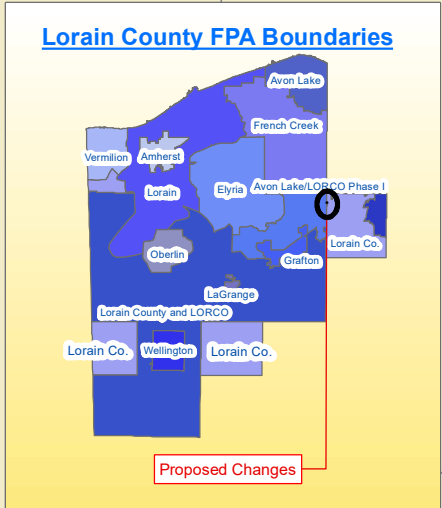
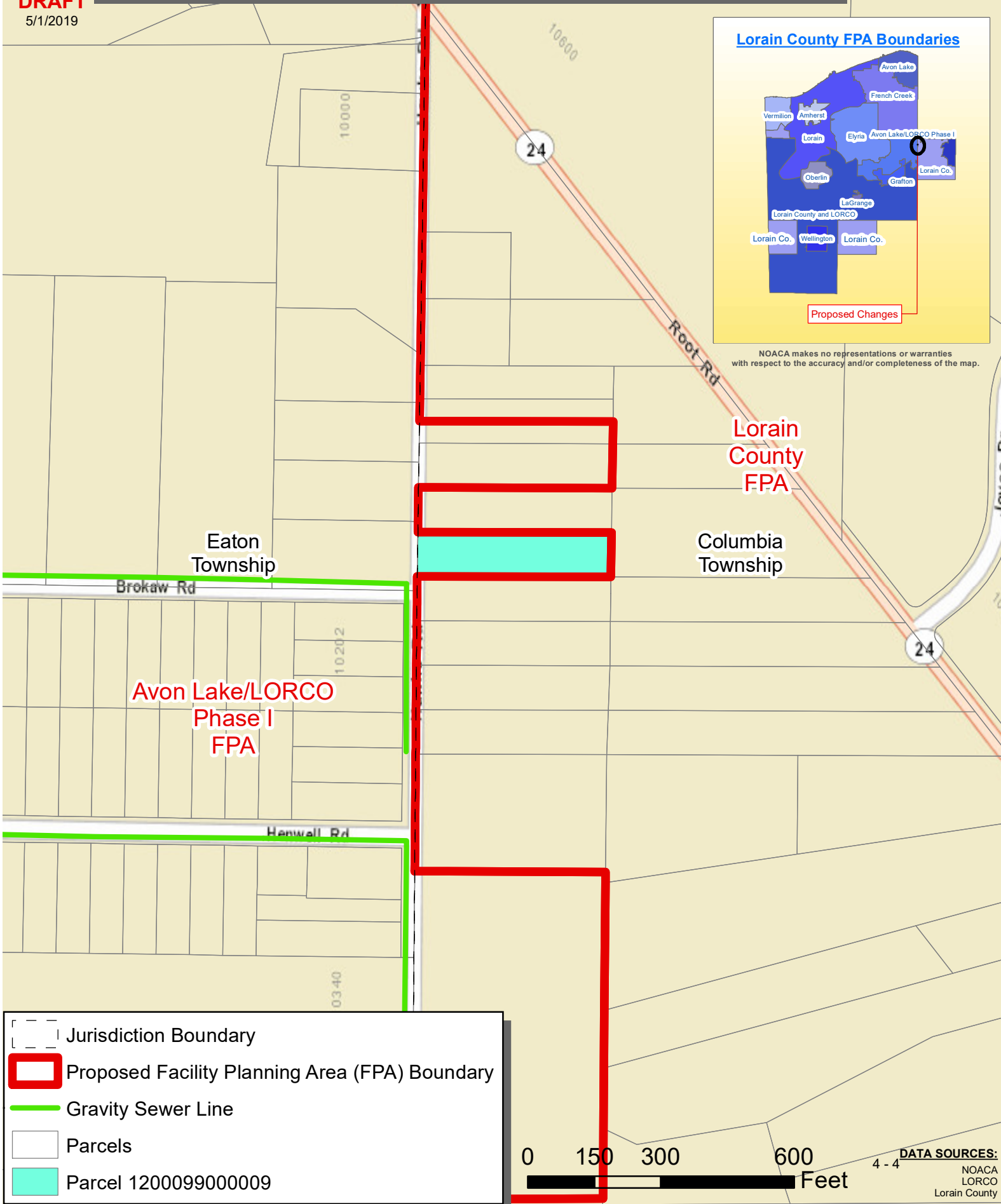




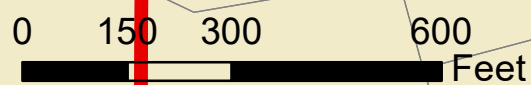
ATTACHMENT B: PROPOSED FACILITY PLANNING AREA (FPA) BOUNDARY FOR PARCEL 1200099000009 IN COLUMBIA TOWNSHIP, LORAIN COUNTY.



**DRAFT**  
5/1/2019



- Jurisdiction Boundary
- Proposed Facility Planning Area (FPA) Boundary
- Gravity Sewer Line
- Parcels
- Parcel 1200099000009



DATA SOURCES:  
4 - 4  
NOACA  
LORCO  
Lorain County



**Avon Lake  
Regional Water**

Serving the region,  
protecting our resource.

April 11, 2019

Ms. Grace Gallucci  
Executive Director  
NOACA  
1299 Superior Avenue  
Cleveland, OH 44114

*Sent via email*

**Re: LORCO FPA Boundary Change Request – Hawke Road**

Dear Ms. Gallucci:

Avon Lake Regional Water submits to you this letter of support for LORCO's FPA boundary change request regarding parcel 12-00-099-000-009, (10981 Hawke Road) located in Lorain County's FPA in Columbia Township on the east side of Hawke Road. This request aligns with the four-party agreement between LORCO, Lorain County, Columbia Township, and Avon Lake Regional Water.

If you have any questions regarding our position, please feel free to contact me. Thank you for your time.

Sincerely,

Todd A. Danielson, P.E., BCEE  
Chief Utilities Executive





Matt Lundy Lori Kokoski Sharon Sweda

226 Middle Avenue  
Elyria, OH 44035  
Office: 440-329-5111  
Fax: 440-323-3357  
[www.loraincounty.us](http://www.loraincounty.us)

County Administrator  
James R. Cordes  
440-329-5760

Clerk of Board of Commissioners  
Theresa Upton  
440-329-5103

Animal Control Officer  
Timothy Pihlblad  
440-326-5997

Budget Director  
Lisa Hobart  
440-329-5201

Charles Berry Bridge Superintendent  
Al Zocchi  
440-244-2137

Children & Family Council  
440-284-4464

Community Development Director  
Don Romancak  
440-328-2323

E-9-1-1 Director  
Tracy Lopez  
440-329-5444

Emergency Management & Homeland  
Security Director  
Thomas Kelley  
440-329-5117

Facilities Management Director  
Karen Davis  
440-329-5102

Human Resources Department  
440-329-5150

IT Director  
Ernie Smith  
440-329-5786

Lorain County Crime/Drug Lab Director  
Emmanuel de Leon  
440-329-5636

Lorain County Transit  
Pamela Novak  
440-329-5525

Office of Sustainability Coordinator  
Michael Challenger  
440-328-2361

Purchasing  
Pamela Wilkens  
440-329-5240

Records Center Supervisor  
Denise Lindak  
440-326-4866

Solid Waste Management  
440-329-5440

Visit Lorain County  
440-984-5282

Workforce Development Director  
Mike Longo  
440-284-1834

April 19, 2019

Ms. Grace Gallucci  
Northeast Ohio Areawide Coordinating Agency (NOACA)  
1299 Superior Avenue,  
Cleveland, OH 44114

**Re: PPN 1200099000009 Facilities Planning Area (FPA) Modification**

Dear Ms. Gallucci,

On April 1, 2019, I received a request from Mr. Gene Toy with LORCO requesting a letter of support for the modification of the existing Facilities Planning Area (FPA) for the referenced parcel. The parcel is currently located within the Lorain County FPA boundary and the modification would place the parcel into LORCO's FPA with Lorain County serving as the Satellite Management Agency.

In order to accommodate the development of the above listed parcel, the Lorain County Commissioners are providing this letter of support to the request made by Mr. Gene Toy to modify the Facilities Planning Area to include the parcel in the LORCO FPA.

Should you have any questions or need additional information, please feel free to contact me directly at 440-329-5760.

Sincerely,

James R. Cordes  
Lorain County Administrator

Cc: Lorain County Commissioners  
Ken Carney, P.E., P.S., Lorain County Sanitary Engineer  
Gene Toy, Executive Director, LORCO



# COLUMBIA TOWNSHIP

25496 Royalton Road • P.O. Box 819 • Columbia Station, Ohio 44028  
440.236.8802 • Fax 440.236.8801

April 24, 2019

## BOARD OF TRUSTEES

Mark Cunningham  
Dick Heidecker  
Mike Musto

## FISCAL OFFICER

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## ZONING INSPECTOR

Robert Eichenberg

## SERVICE DIRECTOR

Robert Rundle

Ms. Grace Gallucci

Executive Director

Northeast Ohio Areawide Coordinating Agency (NOACA)

1299 Superior Avenue

Cleveland, Ohio 44114

Re: LORCO FPA BOUNDARY CHANGE REQUEST – HAWKE ROAD  
PERMANENT PARCEL 1200099000009

Dear Ms. Gallucci:

The Columbia Township Board of Trustees support the request of the property owner Ken Limpert to change the Facility Planning Area (FPA) for permanent parcel 1200099000009 from Lorain County's FPA to LORCO'S FPA. The property is located on the east side of Hawke Road in Columbia Township. We support this modification based on the Memorandum of Understanding between Lorain County, LORCO and Columbia Township for Hawke Road.

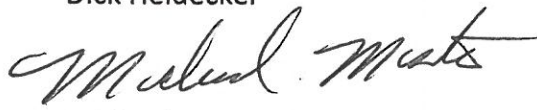
Please feel free to contact Trustee Dick Heidecker at 440-552-3511 if you have any questions or need additional information.

Yours truly,

COLUMBIA TOWNSHIP  
BOARD OF TRUSTEES

  
Mark C. Cunningham

  
Dick Heidecker

  
Michael G. Musto





## Facility Planning Area (FPA) Modification Request Form

**Applicant:**

Lorain County Rural Wastewater District (LORCO)

**FPA Amendment Type:**

The applicant requests a change in the FPA boundary between the Avon Lake/LORCO Phase I FPA and the Lorain County FPA.

**Location of Transfer Area:**

The transfer area is in Columbia Township, Lorain County

**Transferring From:**

Lorain County FPA

**Transferring To:**

Avon Lake/LORCO Phase I FPA

**Total Acres:**

1.0 acre

**Total Parcels:**

One (1) parcel (PPN 1200099000009)

**Prescriptions Change Summary:**

No prescription changes proposed

**List of Affected Parties:**

Designated Management Agencies (DMAs) – Lorain County and City of Avon Lake

Satellite DMAs – LORCO

Others – Columbia Township

## **208 Plan Consistency Review**

### **Facility Planning Area Review - Applicant Needs to Solicit Support from Affected Parties**

- ☐ Applicant is the Designated Management Agency for all of the affected area.
- ✓ Applicant is not the Designated Management Agency for all or part of the affected area
  - ✓ Applicant **has** secured the approval of the entity or entities that are.
  - ☐ Applicant has not secured the approval of the entity or entities that are

### **Service Extension/Community Plan Review – Amendment Should be Consistent with the Prescriptions for Wastewater Treatment<sup>1</sup>**

- ☐ Applicant **does not** propose the extension of any sewer service.
  - ☐ The proposed project is limited to sewer system rehabilitation work.
  - ☐ The proposed project is limited to a plant expansion or modification to better handle wet weather flow volumes
- ✓ Applicant **does** propose the extension of sewer service to an area lying entirely within the established facility planning area of the project sponsor.
  - ✓ The proposed extension **is** consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - ☐ The proposed extension **is not** consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - ☐ The applicant proposes **new** Prescriptions for Wastewater Treatment for the affected area.
- ☐ Another entity proposes the extension of sewer service to an area lying entirely within the established facility planning area(s).
  - ☐ The proposed extension is consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - ☐ The proposed extension is not consistent with the current Prescriptions for Wastewater Treatment for the affected area.
  - ☐ The applicant proposes new Prescriptions for Wastewater Treatment for the affected area.

### **Plant Expansion Review (if applicable)**

- ☐ The application involves a plant capacity expansion that **is** consistent with extant population projections included in the Clean Water 2000 Plan as most recently updated.
- ☐ The application involves a plant capacity expansion that **is not** consistent with extant population projections included in the Clean Water 2000 Plan as most recently updated.
  - ☐ The applicant **has** provided information that **has** sufficiently resolved any population project discrepancy.
  - ☐ The applicant **has not** provided information that sufficiently resolved the population projection discrepancy.

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<sup>1</sup> Prescriptions for Wastewater Treatment are referred to as Community Plans for Wastewater Treatment in the *Clean Water 2000* plan.

**Staff Comments:**

Hawke Road is on the boundary between Eaton Township and Columbia Township in Lorain County. It is also on the divide between the Avon Lake/LORCO Phase I (Phase I) FPA and Lorain County FPA. Eaton Township is a member of LORCO and within the Phase I FPA. Columbia Township is not a member of LORCO and within the Lorain County FPA. LORCO has a sanitary sewer line that runs along Hawke Road and Brokaw Road. Due to the current FPA boundary, only the properties along Hawke Road in Eaton Township can connect to LORCO's sewer. All sanitary sewer connections must be within the FPA of the publicly owned treatment works (POTW) that treat the wastewater.

In 2016, LORCO, Lorain County, City of Avon Lake and Columbia Township signed a sanitary sewer service agreement for the Columbia Township parcels along Hawke Road, which would like to connect LORCO's sewers. The agreement stipulates that if a property owner along Hawke Road requests in writing to be connected to LORCO's sanitary sewers, the affected jurisdictions would all support the proposed FPA amendment to transfer that parcel(s) from the Lorain County FPA to the Phase I FPA. In the agreement, Lorain County would remain as the sewer planning Designated Management Agency (DMA) for all Columbia Township parcels along Hawke Road regardless of the FPA.

LORCO received a request from the property owner of permanent parcel number (PPN) 1200099000009 to connect their planned home, currently under construction, to LORCO's Hawke Road sewer. The landowners included a Columbia Township building permit application, a photo of the home at the time of the request, and a letter from Lorain County Public Health that does not object to the connection of this home to sanitary sewers (attached). The 1.0-acre parcel on which the home resides is within the sanitary sewer service agreement area between LORCO and the affected jurisdictions.

The current FPA boundary has the parcel within the Lorain County FPA (Attachment A). LORCO has requested an FPA modification to transfer this parcel from the Lorain County FPA to the Phase I FPA (Attachment B). No prescription changes are requested.

Even with the sanitary sewer service agreement between LORCO, City of Avon, Lorain County and Columbia Township, NOACA's FPA modification policy still requires LORCO still must solicit support from the affected jurisdictions to satisfy the notification requirements in Policy 4-6 of the Clean Water 2000 Plan (208 Plan). All affected jurisdictions support the FPA boundary modification request.

**Staff Disposition:**

The staff recommends approval of the requested FPA boundary modification between the Phase I FPA and the Lorain County FPA. LORCO has an existing sanitary sewer along Hawke Road and Brokaw Road with the capacity to accept the flow from the proposed development. The request also satisfies the provisions in the sanitary sewer service agreement between the affected jurisdictions to provide sewers, upon request, to the Columbia Township property owners along Hawke Road. Lastly, the request is supported by all the affected jurisdictions and Lorain County Public Health.

**Water Quality Subcommittee Disposition:**

Action Item for June 14, 2019

**Planning and Programming Committee Disposition:**

**Executive Committee Disposition:**

**Board of Directors Disposition:**





## **Agenda Item No. 7**

### **PRESENTATION/DISCUSSION ITEMS**





## **NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

### **MEMORANDUM**

**TO:** NOACA Water Quality Subcommittee  
**FROM:** Grace Gallucci, Executive Director  
**DATE:** June 14, 2019  
**RE:** **Quarterly Update: 208 Plan Development Process**

#### **ACTION REQUESTED**

No action requested. This item is for information and discussion only.

#### **BACKGROUND**

NOACA staff presented two draft questionnaires at the March 2019 Water Quality Subcommittee (WQS) meeting. Staff finalized and distributed the *“Questionnaire for Wastewater Decision Makers and Representatives of Designated Management Agencies, Local Health Districts and Affected Jurisdictions.”* This questionnaire was developed to gather input from the stakeholders and public that are directly affected by FPA planning issues. The questionnaire opened May 13, 2019, and staff sent out four (4) emails to the communities and agencies between this starting date and May 31, 2019. In the first week of June, staff called all communities and agencies that had not yet responded to the questionnaire to ensure they received the emails and encourage their participation. Prior to the close of the questionnaire on June 14, 2019, NOACA sent out on last email reminder email to the nonresponsive communities and entities.

NOACA staff also worked to finalize the *“208 Public” Questionnaire.* This questionnaire will be distributed to the stakeholder agencies to help distribute to their constituents as outlined in the Distribution Plan presented at the March 2019 WQS meeting. This questionnaire will remain open as NOACA plans and holds public meetings on the 208 Plan.

#### **FINANCIAL IMPACT**

There is no financial impact to NOACA.

#### **CONCLUSION/NEXT STEPS**

NOACA Staff will be working with NOACA’s Senior Management Team and regional stakeholders to plan and hold meetings to present the draft 208 Plan this summer.

GG/pld/ea/8178c





## NORTHEAST OHIO AREA WIDE COORDINATING AGENCY

### MEMORANDUM

**TO:** NOACA Water Quality Subcommittee

**FROM:** Grace Gallucci, Executive Director

**DATE:** June 14, 2019

**RE:** NOACA's 208 Plan Current FPA Modification Policies

#### **ACTION REQUESTED**

No action is requested at this time. This item is for information and discussion only.

#### **BACKGROUND/INFORMATION**

At its January 2019 meeting, NOACA's Policy Committee adopted focus areas for the new calendar year. One of those focus areas was to evaluate the potential inclusion of criteria that would address FPA boundary changes requested for the purpose of new housing or commercial developments.

The review and approval of wastewater FPA modification requests is a primary 208 Plan maintenance task. The NOACA Board must approve all FPA modifications to either boundaries or prescriptions. Since 2009, the NOACA Board has approved 53 modifications to the Region's FPA boundaries and prescriptions. Of these modifications, 42 percent have been for new development.

At its April 2019 meeting, the Policy Committee was briefed on NOACA's 208 Plan, which contains policies that govern FPA modifications. At the conclusion of the presentation, the Policy Committee discussed urban sprawl and development impacts, and whether they should be a consideration factor. As you know, the current 208 Plan is undergoing a comprehensive update, including policies relevant to staff review of FPA modification requests. To further inform the content of the new 208 Plan, two questionnaires were developed to gather stakeholder input: The wastewater decision makers questionnaire (distributed in May) and the "208 Public" questionnaire (to be distributed in June). The wastewater decision maker questionnaire includes the following question about potential consideration of urban sprawl and development impacts in NOACA review of FPA modification requests:

***Do you agree or disagree with the following statement? During NOACA staff review of proposed Facility Planning Area (FPA) modifications, staff should examine whether a proposed modification is primarily driven by new development and whether that new development would further expand the development footprint (i.e., increase urban sprawl) in Northeast Ohio.***

Input from the Water Quality Subcommittee, along with results from the wastewater decision makers questionnaire, will inform members of the Policy Committee about next steps to consider an urban sprawl and development impacts policy.

**FINANCIAL IMPACT**

None

**CONCLUSION/NEXT STEPS**

Staff will use Water Quality Subcommittee input to further develop 208 Plan FPA modification policies.

GG/jm/8179c

## **Agenda Item No. 6**

### **WATERSHED ACTIVITIES UPDATE**





## **Agenda Item No. 7**

### **OLD BUSINESS**



## **Agenda Item No. 8**

### **NEW BUSINESS**



## **Agenda Item No. 9**

### **ADJOURNMENT**

